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TOLER & LARSON & ABEL L.L.P.
5000 PLAZA ON THE LAKE STE 265
AUSTIN, TX 78746

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 June 2001</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-45</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-45</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>06 January 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Specification

1.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims **1-6,8-13,15-26,28-29,31-37,39-41, and 43-45** are rejected under 35 U.S.C. 102(e)

as being anticipated by Shoff et al (U.S. Patent # 6,240,555).

2.   As for **Claim 1**, Shoff et al. teach a method comprising:

obtaining a program identifier from a program database (see Fig 2 and 4 unit 46 Program

Information Database, col. 5 lines 6-11 "An EPG server 44 is provided at headend 22 to serve

the programming information needed by the EPG at the viewer computing unit 24. The EPG

server 44 is implemented as a structured query language (SQL) **database 46 with records**

containing information relating to available shows or programs." The EPG database 46 is

interpreted to be a program database where program identifier can be obtained. And col. 8 lines

35-44 "An EPG application 104 is stored in program memory 96 and executes on the processor

92 to organize programming information downloaded from the EPG server at the headend. The

EPG 104 supports a displayable user interface (UI) which visually correlates **programs titles** to

scheduled viewing times and tuning information, such as a channel, in a scrollable grid format.".

The program title is interpreted to be a program identifier.), wherein the program identifier is

associated with a particular program. The program identifier (program title) is interpreted to be

associated with the program it holds the title for;

accessing program content information associated with the program identifier from an

information database (see fig. 2 and 4 units 54 and 86 Supplemental Content database, col. Col. 5

lines 11-22 "The headend 22 further includes an enhanced content server 52 which serves

supplemental interactive content to the viewer computing units to enhance or supplement the

continuous video streams served by the continuous media server 42. The supplemental content

is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other

multimedia types. " and col. 7 lines 26-35 "The interactive entertainment system 60 also

includes multiple independent service providers (ISPs), as represented by ISP 80, which

distribute digital content to the viewer computing unit 62 over a second network 82. An example

of the second network 82 is a public network, such as the Internet. The ISP 80 has a host 84 and

a content database 86 to serve various multimedia content to the viewer's computer. The ISP

host 84 stores one or more target resources that can be rendered by the viewer computing unit

62.". Supplemental Content database servers 54 and 86 are interpreted to be information

databases that provide program content information associated with a program title to users.);

and

providing at least a portion of the program content information to a user (see col. 7 lines

32-35 "The ISP 80 has a host 84 and a content database 86 to serve various multimedia content

to the viewer's computer. The ISP host 84 stores one or more target resources that can be

rendered by the viewer computing unit 62.").

3.   As for **Claim 2,** Shoff et al. teach the steps of:

receiving a time and a channel associated with the particular program (see col. 8 lines 64-

67 "The viewer computing unit checks the appropriate channel and time slot of the EPG data

structure 48 to determine if the program being carried on the selected channel at this time is

interactive (step 152)"); and providing the time and the channel to the program database (see

col. 8 lines 64-67 "The viewer computing unit checks the appropriate channel and time slot of

the EPG data structure 48 to determine if the program being carried on the selected channel at

this time is interactive (step 152)". It is interpreted that the time and channel information

associated with the particular program is provided to the program database (Program Information

database 46 that is within EPG server 44) to check if the particular program in interactive or not).

4.   As for **Claim 3,** Shoff et al. teach the channel is accessed from a tuner (see fig. 6 step

150, col. 8 lines 62-64 "The method begins when a viewer tunes to a particular channel (step 150

in FIG. 6). The channel navigator 102 **controls the tuner 98 to tune to the channel**").

5.   As for **Claim 4,** Shoff et al. teach the channel is specified by the user (see fig. 6 step 150,

col. 8 lines 62-64 "The method begins when a viewer tunes to a particular channel (step 150 in

FIG. 6)).

6.   As for **Claim 5,** Shoff et al. teach the program database includes an Internet database (see

col. 7 lines 19-25 "The headend 22 serves the programs over a first network 74, which may be

implemented like the fiber optic distribution structure described above, or as a satellite system or

other wireless broadcast system, or as a conventional data network. It is noted that other

program providers may be used instead of a headend, such as a broadcast station or an **online**

service provider." When an online service provider is used, it is interpreted that the program

database includes an Internet database.).

7.   As for **Claim 6,** Shoff et al. teach the information database is accessible through the

Internet (see col. 7 lines 26-35 "The interactive entertainment system 60 also includes multiple

independent service providers (ISPs), as represented by ISP 80, which distribute digital content

to the viewer computing unit 62 over a second network 82. **An example of the second network**

82 is a public network, such as the Internet. The ISP 80 has a host 84 and a content database

86 to serve various multimedia content to the viewer's computer. The ISP host 84 stores one or

more target resources that can be rendered by the viewer computing unit").

8.   As for **Claim 8**, Shoff et al. teach the particular program is a multimedia program (see

col. 4 lines 18-20 "These programs might include traditional broadcast TV shows, movies,

games, and he like." Broadcast TV shows, movies, and games are interpreted to be multimedia

files because they typically incorporate video, audio, and text files).

9.   As for **Claim 9**, Shoff et al. teach the multimedia program is a television program (see

col. 4 lines 18-20 "These programs might include traditional broadcast TV shows, movies,

games, and he like.").

10.   As for **Claim 10**, Shoff et al. teach the particular program is an audio program (see col. 5

lines 49-54 "In concept, the target resource can be virtually any type of object--including

executable programs, text or multimedia documents, **sound clips, audio segments**, still images,

computers, directories, and other hyperlinks.").

11.   As for **Claim 11**, Shoff et al. teach the particular program is selected by

the user (see fig. 6 step 150, col. 8 lines 62-64 "The method begins when a viewer tunes to a

particular channel (step 150 in FIG. 6)).

12.   As for **Claim 12**, Shoff et al. teach the at least a portion of the program content

information is a brief description of the particular program (see col. 3 lines 28-35 "The Internet

browser uses the target specification in the EPG to start the target resource. The target resource

contains the supplemental content to enhance the television program. The supplemental content

might be, for example, questions about the program, games, trivia information, **facts about the**

actors and producers, information on other episodes, advertisements, **a listing of products or**

memorabilia about the program, and so on." Facts about the actors and producers are

interpreted to be part of a brief description of the particular program).

13.   As for **Claim 13**, Shoff et al. teach the brief description includes an actor listing (see col.

3 lines 28-35 "The Internet browser uses the target specification in the EPG to start the target

resource. The target resource contains the supplemental content to enhance the television

program. The supplemental content might be, for example, questions about the program, games,

trivia information, **facts about the actors and producers**, information on other episodes,

advertisements, a listing of products or memorabilia about the program, and so on.").

14.   As for **Claim 15**, Shoff et al. teach the program identifier is a program title (col. 8 lines

35-44 "An EPG application 104 is stored in program memory 96 and executes on the processor

92 to organize programming information downloaded from the EPG server at the headend. The

EPG 104 supports a displayable user interface (UI) which visually correlates **programs titles** to

scheduled viewing times and tuning information, such as a channel, in a scrollable grid format."

The program title is interpreted to be a program identifier.

15.   As for **Claim 16**, Shoff et al. teach providing the at least a portion of the program content

information includes displaying the representation of the program content information on a

display device (see fig. 8b col. 10 line 59 – col. 11 line 2 "FIG. 8b illustrates a screen 200 that is

part of the interactive mode. Here, the video program is constrained within a program boundary

210 which is less than full-screen size. The program boundary 210 has been reduced in

comparison to the full-size presentation of FIG. 8a to make room for the supplemental content.

In this illustration, **the supplemental content consists of a main menu having soft buttons**

212-221, a highlighter or cursor icon 224, graphics bars 226, and a text block 228 to hold

the program title. The soft buttons 212-221 present various control options to the viewer to

invite interactive involvement with the program.").

16.   As for **Claim 17**, Shoff et al. teach the step of providing an advertisement associated with

the information database to the user (see col. 3 lines 28-35 "The Internet browser uses the target

specification in the EPG to start the target resource. The target resource contains the

supplemental content to enhance the television program. The supplemental content might be, for

example, questions about the program, games, trivia information, facts about the actors and

producers, information on other episodes, **advertisements**, a listing of products or memorabilia

about the program, and so on.").

17.   As to **Claim 18**, Shoff et al. teaches a system comprising:

        a network interface (see fig. 4 unit 62 PCTV, col. 7 lines 9-17 "FIG. 4 shows an

interactive entertainment system 60 according to a second implementation which accommodates

third party independent service providers. Interactive entertainment system 60 includes headend

22 which supplies programs and supplemental content to a viewer computing unit 62." Unit 62

PCTV is interpreted to be a network interface) to access:

an information database (see fig. 2 and 4 units 54 and 86 Supplemental Content database,

col. Col. 5 lines 11-22 "The headend 22 further includes an enhanced content server 52 which

serves supplemental interactive content to the viewer computing units to enhance or supplement

the continuous video streams served by the continuous media server 42. The supplemental

content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other

multimedia types.". Database 54 and 86 are interpreted to be information database that provide

content information associated with a program identifier) to provide program content

information associated with a program identifier, wherein the program identifier is associated

with a particular program and provided from a program database (see Fig 2 and 4 unit 46

Program Information Database, col. 5 lines 6-11 "An EPG server 44 is provided at headend 22 to

serve the programming information needed by the EPG at the viewer computing unit 24. The

EPG server 44 is implemented as a structured query language (SQL) **database 46 with records**

containing information relating to available shows or programs." The EPG database 46 is

interpreted to be a program database where program identifier can be obtained. And col. 8 lines

35-44 "An EPG application 104 is stored in program memory 96 and executes on the processor

92 to organize programming information downloaded from the EPG server at the headend. The

EPG 104 supports a displayable user interface (UI) which visually correlates **programs titles** to

scheduled viewing times and tuning information, such as a channel, in a scrollable grid format."

The program title is interpreted to be a program identifier.);

a description generator to (see fig. 5 unit 90, col. 8 lines 4-51 "FIG. 5 shows a viewer

computing unit, referenced generally as numeral 90, in more detail. The viewer computing unit

90 includes a processor 92, a volatile memory 94, and a program memory 96. The viewer

computing unit 90 also has at least one receiver, and possibly two receivers, for receiving the

video stream from a the headend and the digital supplemental data from the headend or ISP".

Viewer computing unit 90 is interpreted to be a description generator):

obtain said program identifier from said program database (see Fig 2 and 4 unit 46

Program Information Database, col. 5 lines 6-11 "An EPG server 44 is provided at headend 22 to

serve the programming information needed by the EPG at the viewer computing unit 24. The

EPG server 44 is implemented as a structured query language (SQL) **database 46 with records**

containing information relating to available shows or programs." The EPG database 46 is

interpreted to be a program database where program identifier can be obtained.); access said

program content information from said information database through said network interface (see

fig. 2 and 4 units 54 and 86 Supplemental Content database, col. Col. 5 lines 11-22 "The

headend 22 further includes an enhanced content server 52 which serves supplemental interactive

content to the viewer computing units to enhance or supplement the continuous video streams

served by the continuous media server 42. The supplemental content is stored digitally in

database 54 and can be text, graphics, video, picture, sound, or other multimedia types. " and

col. 7 lines 26-35 "The interactive entertainment system 60 also includes multiple independent

service providers (ISPs), as represented by ISP 80, which distribute digital content to the viewer

computing unit 62 over a second network 82. An example of the second network 82 is a public

network, such as the Internet. The ISP 80 has a host 84 and a content database 86 to serve

various multimedia content to the viewer's computer. The ISP host 84 stores one or more target

resources that can be rendered by the viewer computing unit 62." Supplemental Content

database servers 54 and 86 are interpreted to be information databases that provide program

content information associated with a program title to users.);

present said program content information to a display device (see col. 7 lines 32-35 "The

ISP 80 has a host 84 and a content database 86 to serve various multimedia content to the

viewer's computer. The ISP host 84 stores one or more target resources that can be rendered by

the viewer computing unit 62."); and

said display to provide said program content information (see fig. 8b col. 10 line 59 – col.

11 line 2 "FIG. 8b illustrates a screen 200 that is part of the interactive mode. Here, the video

program is constrained within a program boundary 210, which is less than full-screen size. The

program boundary 210 has been reduced in comparison to the full-size presentation of FIG. 8a to

make room for the supplemental content. In this illustration, **the supplemental content consists**

of a main menu having soft buttons 212-221, a highlighter or cursor icon 224, graphics bars

226, and a text block 228 to hold the program title. The soft buttons 212-221 present

various control options to the viewer to invite interactive involvement with the program.").

18.   As for **Claim 19**, Shoff et al. teach said program database is accessed through said

network interface (see fig. 4 unit 44 and 62. The figure clearly shows information from unit 46

program information database (program database) is transferred to unit 62 PC-TV (the network

interface).).

19.   As for **Claim 20**, Shoff et al. teach including a control interface to receive a request to

present said program content information related to said particular program (see fig. 6 unit 164

"Viewer Activate?" col. 54-65 "If the viewer decides to enter into an interactive mode, the

viewer employs a remote control handset, mouse, keyboard, or other mechanism to actuate the

icon 204. This causes the browser 106 to start the target resource located by the target

specification listed in the EPG data structure (step 170

via the "yes" branch from step 164). This leads to another approach to invoking the

supplemental content. Rather than displaying an icon and waiting for input from the viewer, the

viewer computing unit can automatically activate the target resource as soon as the browser is

loaded on the processor (step 170 from the "automatic" branch from step 160)." The viewer

chooses to access the interactive content using a remote control, mouse or keyboard. The remote

control, mouse, or keyboard is interpreted to be a control interface that receives a request to

present said program content information related to said particular program.)

20.   As for **Claim 21**, Shoff et al. teach said request includes a time and a channel associated

with said particular program (see col. 8 lines 64-67 "The viewer computing unit checks the

appropriate channel and time slot of the EPG data structure 48 to determine if the program being

carried on the selected channel at this time is interactive (step 152)").

21.   As for **Claim 22**, Shoff et al. teach said time and said channel are provided to said

program database (see col. 8 lines 64-67 "The viewer computing unit checks the appropriate

channel and time slot of the EPG data structure 48 to determine if the program being carried on

the selected channel at this time is interactive (step 152)". It is interpreted that the time and

channel information associated with the particular program is provided to the program database

(Program Information database 46 that is within EPG server 44) to check if the particular

program in interactive or not).

22.   As for **Claim 23**, Shoff et al. teach said particular program is presented on

said display (see fig. 8b col. 10 line 59 – col. 11 line 2 "FIG. 8b illustrates a screen 200 that is

part of the interactive mode. Here, the video program is constrained within a program boundary

210 which is less than full-screen size. The program boundary 210 has been reduced in

comparison to the full-size presentation of FIG. 8a to make room for the supplemental content.

In this illustration, **the supplemental content consists of a main menu having soft buttons**

212-221, a highlighter or cursor icon 224, graphics bars 226, and a text block 228 to hold

the program title. The soft buttons 212-221 present various control options to the viewer to

invite interactive involvement with the program.").

23.   As for **Claim 24**, Shoff et al. teach a tuner to decode said particular program (see fig. 6

step 150, fig. 5 unit 98 Tuner, col. 8 lines 62-64 "The method begins when a viewer tunes to a

particular channel (step 150 in FIG. 6). The channel navigator 102 **controls the tuner 98 to**

tune to the channel").

24.   As for **Claim 25**, Shoff et al. teach said particular program is a multimedia program (see

col. 4 lines 18-20 "These programs might include traditional broadcast TV shows, movies,

games, and he like." Broadcast TV shows, movies, and games are interpreted to be multimedia

files because they typically incorporate video, audio, and text files).

25.   As for **Claim 26**, Shoff et al. teach said program content information includes a brief

description of said particular program (see col. 3 lines 28-35 "The Internet browser uses the

target specification in the EPG to start the target resource. The target resource contains the

supplemental content to enhance the television program. The supplemental content might be, for

example, questions about the program, games, trivia information, **facts about the actors and**

producers, information on other episodes, advertisements, **a listing of products or**

memorabilia about the program, and so on." Facts about the actors and producers are

interpreted to be part of a brief description of the particular program).

26.   As for **Claim 28**, Shoff et al. teach said program identifier includes a program title

associated with said particular program (col. 8 lines 35-44 "An EPG application 104 is stored in

program memory 96 and executes on the processor 92 to organize programming information

downloaded from the EPG server at the headend. The EPG 104 supports a displayable user

interface (UI) which visually correlates **programs titles** to scheduled viewing times and tuning

information, such as a channel, in a scrollable grid format." The program title is interpreted to be

a program identifier.)

27.   As for **Claim 29**, Shoff et al. teach said information database includes an Internet website

(see col. 5 lines 24-33 "In the implementation described herein, the supplemental content is

constructed as a hypertext file which is rendered by a browser. Hypertext, or hypermedia, is a

metaphor for presenting information in which text, images, sounds, and actions become linked

together in a complex, non-sequential web of associations that permit a user to browse through

related topics, regardless of the presented order of the topics. Hypermedia content is widely used

for navigation and information dissemination on the "World-Wide Web" (WWW or Web) of the

Internet." And col. 6 lines 37-39 "The following is an example of a URL listed in the EPG data

structure 48 in association with the "Seinfeld" program: http://www.nbc.com/seinfeld").

28.   As for **Claim 31**, Shoff et al. teach an advertisement associated with the information

database (see col. 3 lines 28-35 "The Internet browser uses the target specification in the EPG to

start the target resource. The target resource contains the supplemental content to enhance the

television program. The supplemental content might be, for example, questions about the

program, games, trivia information, facts about the actors and producers, information on other

episodes, **advertisements**, a listing of products or memorabilia about the program, and so on.").

29.   As to **Claim 32**, Shoff et al. teaches a computer readable medium tangibly embodying a

program of instructions, said program of instructions comprising instructions to (see fig. 5 unit

90, col. 8 lines 4-51 "FIG. 5 shows a viewer computing unit, referenced generally as numeral 90,

in more detail. The viewer computing unit 90 includes a processor 92, a volatile memory 94, and

a program memory 96. The viewer computing unit 90 also has at least one receiver, and possibly

two receivers, for receiving the video stream from a the headend and the digital supplemental

data from the headend or ISP. The first receiver is in the form of a tuner 98 which tunes to the

channel or broadcast frequency to receive a video data stream from a program source, such as the

headend, broadcaster, or other program provider. The second receiver, referenced generally as

100, can be implemented as a second tuner for receiving the content over a cable or wireless

distribution network, or a modem for receiving the supplemental content over the Internet or

other data network." The viewer-computing unit 90 is interpreted to be computer readable

medium tangibly embodying a program of instructions):

obtain a program identifier from a program database, wherein the program identifier is

associated with a particular program (see Fig 2 and 4 unit 46 Program Information Database, col.

5 lines 6-11 "An EPG server 44 is provided at headend 22 to serve the programming information

needed by the EPG at the viewer computing unit 24. The EPG server 44 is implemented as a

structured query language (SQL) **database 46 with records containing information relating to**

available shows or programs." The EPG database 46 is interpreted to be a program database

where program identifier can be obtained. And col. 8 lines 35-44 "An EPG application 104 is

stored in program memory 96 and executes on the processor 92 to organize programming

information downloaded from the EPG server at the headend. The EPG 104 supports a

displayable user interface (UI) which visually correlates **programs titles** to scheduled viewing

times and tuning information, such as a channel, in a scrollable grid format." The program title

is interpreted to be a program identifier.). The program identifier (program title) is interpreted to

be associated with the program it holds the title for); access program content information

associated with the program identifier from an information database (see fig. 2 and 4 units 54

and 86 Supplemental Content database, col. Col. 5 lines 11-22 "The headend 22 further includes

an enhanced content server 52 which serves supplemental interactive content to the viewer

computing units to enhance or supplement the continuous video streams served by the

continuous media server 42. The supplemental content is stored digitally in database 54 and can

be text, graphics, video, picture, sound, or other multimedia types. " and col. 7 lines 26-35 "The

interactive entertainment system 60 also includes multiple independent service providers (ISPs),

as represented by ISP 80, which distribute digital content to the viewer computing unit 62 over a

second network 82. An example of the second network 82 is a public network, such as the

Internet. The ISP 80 has a host 84 and a content database 86 to serve various multimedia content

to the viewer's computer. The ISP host 84 stores one or more target resources that can be

rendered by the viewer computing unit 62.". Supplemental Content database servers 54 and 86

are interpreted to be information databases that provide program content information associated

with a program title to users.); and

provide at least a portion of the program content information to a user (see col. 7 lines 32-

35 "The ISP 80 has a host 84 and a content database 86 to serve various multimedia content to

the viewer's computer. The ISP host 84 stores one or more target resources that can be rendered

by the viewer computing unit 62.").

30.   As for **Claim 33**, Shoff et al. teaches said program of instructions further used to receive

a time and a channel associated with the particular program (see col. 8 lines 64-67 "The viewer

computing unit checks the appropriate channel and time slot of the EPG data structure 48 to

determine if the program being carried on the selected channel at this time is interactive (step

152)"); and provide the time and the channel to the program database (see col. 8 lines 64-67

"The viewer computing unit checks the appropriate channel and time slot of the EPG data

structure 48 to determine if the program being carried on the selected channel at this time is

interactive (step 152)". It is interpreted that the time and channel information associated with the

particular program is provided to the program database (Program Information database 46 that is

within EPG server 44) to check if the particular program in interactive or not).

31.   As for **Claim 34,** Shoff et al. teach the channel is accessed from a tuner (see fig. 6 step

150, col. 8 lines 62-64 "The method begins when a viewer tunes to a particular channel (step 150

in FIG. 6). The channel navigator 102 **controls the tuner 98 to tune to the channel"**).

32.   As for **Claim 35,** Shoff et al. teach the channel is specified by the user (see fig. 6 step

150, col. 8 lines 62-64 "The method begins when a viewer tunes to a particular channel (step 150

in FIG. 6)).

33.   As for **Claim 36,** Shoff et al. teach the program database includes an Internet database

(see col. 7 lines 19-25 "The headend 22 serves the programs over a first network 74, which may

be implemented like the fiber optic distribution structure described above, or as a satellite system

or other wireless broadcast system, or as a conventional data network. It is noted that other

program providers may be used instead of a headend, such as a broadcast station or an **online**

service provider." When an online service provider is used, it is interpreted that the program

database includes an Internet database.).

34.   As for **Claim 37**, Shoff et al. teach the information database is accessible through the

Internet (see col. 7 lines 26-35 "The interactive entertainment system 60 also includes multiple

independent service providers (ISPs), as represented by ISP 80, which distribute digital content

to the viewer computing unit 62 over a second network 82. **An example of the second network**

82 is a public network, such as the Internet. The ISP 80 has a host 84 and a content database

86 to serve various multimedia content to the viewer's computer. The ISP host 84 stores one or

more target resources that can be rendered by the viewer computing unit").

35.   As for **Claim 39**, Shoff et al. teach the particular program is a multimedia program (see

col. 4 lines 18-20 "These programs might include traditional broadcast TV shows, movies,

games, and he like." Broadcast TV shows, movies, and games are interpreted to be multimedia

files because they typically incorporate video, audio, and text files).

36.   As for **Claim 40**, Shoff et al. teach the at least a portion of the program content

information is a brief description of the program content information (see col. 3 lines 28-35 "The

Internet browser uses the target specification in the EPG to start the target resource. The target

resource contains the supplemental content to enhance the television program. The supplemental

content might be, for example, questions about the program, games, trivia information, **facts**

about the actors and producers, information on other episodes, advertisements, **a listing of**

products or memorabilia about the program, and so on." Facts about the actors and

producers are interpreted to be part of a brief description of the particular program).

37.   As for **Claim 41**, Shoff et al. teach the brief description includes an actor listing (see col.

3 lines 28-35 "The Internet browser uses the target specification in the EPG to start the target

resource. The target resource contains the supplemental content to enhance the television

program. The supplemental content might be, for example, questions about the program, games,

trivia information, **facts about the actors and producers**, information on other episodes,

advertisements, **a listing of products or memorabilia about the program**, and so on." Facts

about the actors and producers are interpreted to be part of a brief description of the particular

program).

38.   As for **Claim 43**, Shoff et al. teach the program identifier is a program title (col. 8 lines

35-44 "An EPG application 104 is stored in program memory 96 and executes on the processor

92 to organize programming information downloaded from the EPG server at the headend. The

EPG 104 supports a displayable user interface (UI) which visually correlates **programs titles** to

scheduled viewing times and tuning information, such as a channel, in a scrollable grid format."

The program title is interpreted to be a program identifier.)

39.   As for **Claim 44**, Shoff et al. teach the at least a portion of the program content

information includes displaying the representation of the program content information on a

display device (see fig. 8b col. 10 line 59 – col. 11 line 2 "FIG. 8b illustrates a screen 200 that is

part of the interactive mode. Here, the video program is constrained within a program boundary

210, which is less than full-screen size. The program boundary 210 has been reduced in

comparison to the full-size presentation of FIG. 8a to make room for the supplemental content.

In this illustration, **the supplemental content consists of a main menu having soft buttons**

212-221, a highlighter or cursor icon 224, graphics bars 226, and a text block 228 to hold

the program title. The soft buttons 212-221 present various control options to the viewer to

invite interactive involvement with the program.").

40.   As for **Claim 45**, Shoff et al. teach said program of instructions further comprising

instructions to present an advertisement associated with the information database to the user (see

col. 3 lines 28-35 "The Internet browser uses the target specification in the EPG to start the target

resource. The target resource contains the supplemental content to enhance the television

program. The supplemental content might be, for example, questions about the program, games,

trivia information, facts about the actors and producers, information on other episodes,

advertisements, a listing of products or memorabilia about the program, and so on.").

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 7,14, 27,30,38, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Shoff et al. (U.S. Patent # 6,240,555).

41.   As for **Claims 7, 30, and 38** Shoff et al. do not expressly teach the information database

includes an Internet search engine. However, **Official Notice** (MPEP § 2144.03) is taken the

both the concepts and advantages of using an Internet search engine to access information from a

database are well known and expected in the art. At the time the invention was made, it would

have been obvious to one with ordinary skill in the art to have modified the teaching of Shoff et

al. to include an Internet search engine to access information from the information database.

One of ordinary skill in the art at the time the invention was made would have been motivated to

use an Internet search engine to access information from the information database in order to

efficiently search through the volumes of information that is contained in the information

database to retrieve information.

42.   As for **Claim 14, 27, and 42** Shoff et al. do not expressly teach the at least a portion of

the program content information is a detailed description of the particular program. However,

Shoff et al. teach a portion of the program content information includes information related to the

particular program (see col. 3 lines 28-35 "The Internet browser uses the target specification in

the EPG to start the target resource. The target resource contains the supplemental content to

enhance the television program. The supplemental content might be, for example, questions

about the program, games, trivia information, facts about the actors and producers, information

on other episodes, advertisements, a listing of products or memorabilia about the program, and

so on."). However, **Official Notice** (MPEP § 2144.03) is taken the both the concepts and

advantages of providing detailed description of the particular program are well known and

expected in the art. At the time the invention was made, it would have been obvious to one with

ordinary skill in the art to have modified the teaching of Shoff et al. to have at least a portion of

the program content information to provide a detailed description of the particular program.

One of ordinary skill in the art at the time the invention was made would have been motivated to

provide more detailed description of the particular program in order to provide the viewer with

more information about the particular program.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kirubel Aklilu whose telephone number is 571-272-7342. The

examiner can normally be reached on 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KA
3/18/05

NGOC-YEN VU
PRIMARY EXAMINER